

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

HEAVENLY SOVEREIGNTY,

Petitioner,

v.

Civil Action No. **3:21CV34**

COMMONWEALTH OF VIRGINIA PAROLE BOARD,

Respondent.

MEMORANDUM OPINION

Petitioner, a federal inmate proceeding *pro se*, filed a 28 U.S.C. § 2241 petition (“§ 2241 Petition,” ECF No. 1) which challenges actions taken by the Virginia Parole Board, specifically a warrant lodged as a detainer against him for a parole violation. (ECF No. 1, at 6.) Petitioner argues that the detainer violates the Interstate Agreement on Detainers Act (“IADA”)¹ and his right to due process because the detainer prevents him from participating in programs at the federal prison. (*Id.*) Petitioner also argues that the Virginia Parole Board’s refusal to hold a hearing on the parole violation violates Petitioner’s constitutional right to a speedy trial. (*Id.*) From the content of the § 2241 Petition, and as thoroughly explained in the April 12, 2021 Memorandum Order, it appears that Petitioner may not bring these challenges against the Virginia Parole Board at this time. Accordingly, by Memorandum Order entered on April 12, 2021, the Court directed Petitioner to show cause, within fourteen (14) days of the date of entry thereof, why, at this time, he may challenge the conditions of his confinement caused by the lack

¹ The IADA “is a compact entered by 48 states, and the District of Columbia to establish procedures for resolution of one State’s outstanding charges against a prisoner of another state.” *New York v. Hill*, 528 U.S. 110, 111 (2000) (citations omitted).

of a parole violation hearing and detainer issued against him. The Court explained that the failure to do so would result in the dismissal of the § 2241 Petition without prejudice.

More than fourteen (14) days have elapsed and Petitioner has not responded to the April 12, 2021 Memorandum Order. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall accompany this Memorandum Opinion.

Date: May 18, 2021
Richmond, Virginia



M. Hannah Lauck
United States District Judge